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Subject: FAA May Phase Out PFAS Foam Use - Congressional Action

The Daily Feed

Congress backs PFAS alternatives for airports

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Congress has passed Federal Aviation Administration (FAA) reauthorization legislation that contains a provision that will allow commercial airports to stop using firefighting foams that contain per- and poly fluoroalkyl substances (PFAS), an action that comes as PFAS chemicals continue to be found in drinking water systems near sites where PFAS foam has been used.

The bipartisan measure was included in a larger FAA reauthorization bill, H.R. 302, that passed the House in September, and, on Oct. 3, passed the Senate, 93-6.

The provision lifts a requirement that commercial airports use firefighting foam containing PFAS, allowing them the option to choose non-PFAS foams. The FAA, in coordination with EPA, must eliminate the PFAS requirement within three years.

PFAS is a class of thousands of chemicals that has raised concerns in recent years as the chemicals have turned up in drinking water systems around the country, particularly near sites where firefighting foam was used, such as military sites. The chemicals have been linked to adverse health effects, such as certain cancers, ulcerative colitis and thyroid disease.

The military -- which is facing significant potential cleanup liability for its use of PFAS firefighting foam at sites throughout the country -- has said it currently has no PFAS-free foam compliant with critical military specification requirements for fire suppression, although the Defense Department is testing alternatives. But advocates note that other countries and companies are currently using alternatives to PFAS firefighting foam.

"[W]e must do more to reduce exposure and clean up contamination in our communities," Rep. Dan Kildee (D-MI), sponsor of the measure, said in a Sept. 26 press release announcing House passage of the legislation. "Allowing airports to find alternatives to firefighting foam containing PFAS will help to ensure clean drinking water and better protect public health."

Environmentalists are praising the measure's passage, with Environmental Working Group (EWG) attorney Melanie Benesh citing the foam as a significant source of drinking water PFAS contamination.

"This legislation is a critical first step to allow airports to switch to the less toxic alternatives, which are already being used safely and effectively in other countries," she says. EWG estimates that roughly 110 million Americans could have PFAS-contaminated drinking water.

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